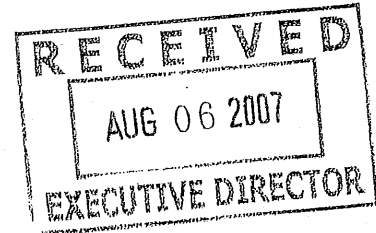
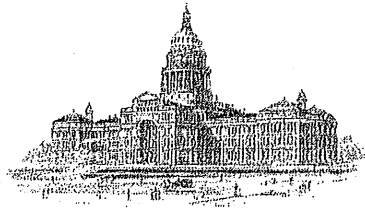


The Senate of The State of Texas



TROY FRASER

August 3, 2007

RECEIVED BY OPA  
TRACKING # 15392  
ASSIGNED TO: JLR

AUG 07 2007

Mr. Glenn Shankle (MC-109)  
Executive Director  
Texas Commission on Environmental Quality  
12100 Park 35 Circle, Building F  
Austin, Texas 78753

DUE DATE: 8-15-07

Re: Application by Hidden View Dairy for TCEQ Water Quality Permit No. 03197

Dear Mr. Shankle:

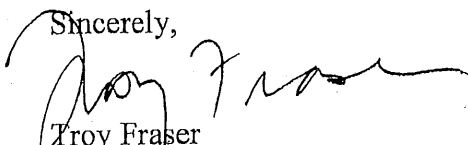
I am writing to express my support for the water quality permits for dairy CAFOs in Central Texas, including the application by Hidden View Dairy. Significant investment has been made by the agriculture industry, including the owners of dairy operations in Central Texas. The dairies create sustainable, well-paying jobs and provide a strong tax base for rural areas, so it is imperative that the TCEQ provide efficient and prompt decisions on pending permits.

If issued, the new permits will require the dairies in the North Bosque to operate under more stringent criteria, including utilizing lagoon designs which exceed the requirements in other areas of the state. Given these more stringent requirements, I would suggest that the TCEQ carefully consider the "standing" of persons who may oppose the permits. Additionally, as these water quality permits are unique in that they are essentially "no discharge permits," any person protesting such applications should be held to a special duty to demonstrate that he or she is personally and directly affected by the permit application.

Finally, I hope these permits will not be delayed by lengthy contested hearings. But, in the event the TCEQ was to refer a case to hearing, I would urge that the scope of the hearing be narrowly defined and limited to a few clear issues that are material to the specific operation.

Thank you for your assistance in promoting the timely issuance of these permits. My staff and I will continue to observe the permit process for each of these applications, and please know that I am available to discuss this important matter with you further at anytime.

Sincerely,

  
Troy Fraser  
State Senator



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2007 AUG 13 AM 10:06  
CHIEF CLERKS OFFICE

Kathleen Hartnett White, *Chairman*  
Larry R. Soward, *Commissioner*  
H. S. Buddy Garcia, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 10, 2007

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2007 AUG 13 AM 10:06  
CHIEF CLERKS OFFICE

The Honorable Troy Fraser  
Texas Senate  
P.O. Box 12068  
Austin, Texas 78711-2068

Dear Senator Fraser:

I'm writing in response to your letter regarding the application by Hidden View Dairy for proposed Water Quality Permit No. WQ000319000. I appreciate your interest in this matter.

As you are aware, the agency has received contested case hearing requests on this permit application. This matter will be presented to the Commissioners for consideration on whether to grant those hearing requests. The matter is scheduled to be presented at the Commissioners' Agenda meeting on August 22, 2007. If the commission grants any of the requests, the matter will be referred to the State Office of Administrative Hearings for further proceedings. I have asked that my staff include you on the list to receive future mailings regarding this permit.

I hope this information is helpful. If you need additional information from the TCEQ, please feel free to contact me at (512) 239-3900, or Leonard Olson, Director of our Intergovernmental Relations Division at (512) 239-3267.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn Shankle", written over a horizontal line.

Glenn Shankle  
Executive Director

cc: Leonard Olson

The Honorable Troy Fraser

Page 2

bcc: LaDonna Castañuela, CCO, MC 105  
Charles Maguire, Water Quality Division, MC 148  
Kerrie Qualtrough, Office of Legal Services, MC 173  
Bob Brush, Office of Legal Services, MC 173  
Office of the Chief Clerk, MC 105  
Casey Vise, MC 108